

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
MISSOULA DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

CHANTEL DAWN COOPER,

Defendant.

CR 19-60-M-DLC

ORDER

Before the Court is United States Magistrate Judge Kathleen L. DeSoto's Findings & Recommendations Regarding Revocation of Supervised Release. (Doc. 79.) Because neither party objected, they are not entitled to *de novo* review. 28 U.S.C. § 636(b)(1); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003). Therefore, the Court reviews the Findings and Recommendation for clear error. *McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc.*, 656 F.2d 1309, 1313 (9th Cir. 1981). Clear error exists if the Court is left with a "definite and firm conviction that a mistake has been committed." *United States v. Syrax*, 235 F.3d 422, 427 (9th Cir. 2000).

Judge DeSoto found, based on Defendant Chantel Dawn Cooper's admissions at the hearing, that she violated two conditions of supervised release:

(1) the condition that she not unlawfully use a controlled substance; and (2) the condition that she participate in substance abuse testing. (Doc. 79.)

Judge DeSoto recommends that this Court revoke Cooper's supervised release and sentence her to a custodial sentence of 9 months with no term of supervised release to follow the nine months of incarceration. (*Id.*) The Court finds no clear error in Judge DeSoto's Findings and Recommendations and adopts them in full.

Accordingly, IT IS ORDERED that Judge DeSoto's Findings and Recommendations (Doc. 79) is ADOPTED in full.

Chantel Dawn Cooper shall be sentenced in conformity with Judge DeSoto's recommendation in the judgment filed concurrently with this Order.

DATED this 27th day of December, 2024.



Dana L. Christensen
United States District Court